

# COASTAL CONSERVANCY

Staff Recommendation

May 18, 2005

## WESTPORT HEADLANDS ACCESS IMPROVEMENTS

File No. 99-043-02

Project Manager: Sheila Semans

**RECOMMENDED ACTION:** Authorization to disburse funds to the Westport Village Society, Inc. ("WVS") to construct access improvements at the Westport Headlands in Mendocino County.

**LOCATION:** Oceanfront property in the town of Westport, approximately 25 miles north of the City of Fort Bragg in Mendocino County (Exhibit 1).

**PROGRAM CATEGORY:** Public Access

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### **EXHIBITS**

Exhibit 1: Project Location Map

Exhibit 2: Detailed Site Plan Map

Exhibit 3: Property Photos

Exhibit 4: Coastal Development Permit and CEQA Negative Declaration

Exhibit 5: Letters of Support

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### **RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400-31409 of the Public Resources Code:

"The State Coastal Conservancy hereby authorizes disbursement to the Westport Village Society (WVS) of an amount not to exceed one hundred and forty thousand dollars (\$140,000) to construct public access improvements at the Westport Headlands, subject to the following conditions:

1. Prior to the disbursement of any funds, WVS shall submit for the review and approval of the Executive Officer of the Conservancy:
  - a. A work program, budget and schedule, detailed site plans, and the names of any contractors to be employed in carrying out the work.
  - b. Evidence that all necessary permits and approvals have been obtained.

- c. A signage plan for the project acknowledging Conservancy participation.
2. WVS shall enter into an agreement pursuant to Public Resources Code Section 31116(c) sufficient to protect the public interest and provide for maintenance of the project for no less than twenty (20) years;
3. On request of the Conservancy, the grantee shall permit alignment of a segment of the California Coastal Trail (CCT) on the real property and shall permit the placement of signs identifying the property as a segment of the CCT.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 9 of Division 21 (§§31400-31409) of the Public Resources Code.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The proposed project will serve greater than local needs.
4. The Westport Village Society is a private nonprofit organization existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Code, and its purposes are consistent with Division 21 of the Public Resources Code.
5. The Conservancy has independently reviewed and considered the CEQA Negative Declaration attached to the accompanying staff recommendation as Exhibit 4, adopted by the Mendocino County Board of Supervisors in November 2004 pursuant to the California Environmental Quality Act, and finds that the project, avoids, reduces or mitigates the possible significant environmental effects to a level of insignificance, and that there is no substantial evidence that the project will have a significant effect on the environment, and that the project will not have a potentially adverse effect, either individually or cumulatively, on fish and wildlife resources.”

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## **PROJECT SUMMARY:**

Staff recommends that the Conservancy authorize disbursement of up to one hundred and forty thousand dollars (\$140,000) to the Westport Village Society (WVS) to construct access improvements at the Westport Headlands in Mendocino County.

In 2000, the Conservancy provided funding for the WVS to acquire and manage the 9-acre property known as the Westport Headlands for open space preservation, public access, and recreation purposes. This property represents the only coastal access opportunity in the Village of Westport, a small town in northern Mendocino County. The Conservancy also funded the WVS’s preparation of a management plan for the site, which was completed in February 2004.

WVS now seeks to implement the improvements identified in the management plan. Specifically, the access improvements will include the construction of an ADA compliant trail and scenic overlook, a footbridge over sensitive wetland habitat, handicap parking, interpretive

and safety signs, fencing, benches, and a stairway down the bluff face constructed in such a manner so as to allow for the manual lowering and raising of small boats to the beach (Exhibit 2). Informal trails on the property will be improved and signed. The blufftop trail will add a 660-foot segment to the California Coastal Trail. All permits have been secured for the project and work will begin this summer. WVS anticipates that construction work will be completed by the end of 2005. Upon completion, WVS will officially open the Westport Headlands to the public, and visitors from all over the world (as well as locals) will be able to enjoy the beauty of this remarkable site (Exhibit 3).

**Site Description:** The Westport Headlands property is comprised of nine oceanfront acres that offer the only coastal access in the town of Westport. Highway One borders the property on the east, and residential development is located to the north and south of the property.

Currently, beach access consists of a rough trail and boat launching chute that descend the cliff to the beach (Exhibit 3). Westport residents have traditionally used this chute to winch small skiffs up and down the cliff for subsistence fishing. Historically, one of Westport's two shipping wharves extended seaward from this access point, providing a vital link between the community and the outside world.

The Mendocino Paintbrush is the only endangered plant on the property, and is found on a steep bluff face that is to be closed to public access for public safety reasons. The location is approximately 250 feet from the site of the proposed stairway, and will not be affected by any of the proposed development. Trail configurations have been designed to keep foot traffic out of any sensitive habitats (including a 0.1 acre wetland), and the footbridge is planned to eliminate impact to sensitive riparian habitat. Also, the WVS is developing a program to remove invasive species that threaten these habitats on the property.

Potential archaeological remains from historic use of the property were another concern addressed in the management plan. The WVS conducted an archeological survey of the property and identified and mapped all sensitive resources, the locations of which will remain confidential to prevent damage or looting. Trails developed will divert foot traffic away from these areas, and the WVS will permit/promote the growth of brush over these resources, if appropriate. Furthermore, WVS will make sure all maintenance and development activities avoid impacting these areas.

**Project History:** The Conservancy was first contacted about the potential acquisition of the Westport Headlands over a decade ago. More recently, in May 2000, the \$711,000 purchase price was funded by a legislative appropriation of \$3 million for Mendocino Coast acquisitions, which also funded the acquisitions of the Navarro and Caspar Headlands. The Conservancy granted additional funding for initial property management and the preparation of a management plan, which included the design of a public access structure to the beach, and surveys of wetland, botanical and archaeological resources. The management plan was complete in February of 2004, and serves as the basis for the proposed improvements.

**PROJECT FINANCING:**

Coastal Conservancy	\$140,000
Westport Village Society	\$19,000
Stewards and Volunteers (3000 hours @\$15/hour)	\$45,000*
<b>Total Project Cost</b>	<b>\$204,000</b>

*\* Represents in-kind contribution*

The anticipated source of Conservancy funds for this project is the FY 02/03 appropriation to the Conservancy from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40). This funding source may be used for development of land and water resources in accordance with the provisions of the Conservancy's enabling legislation, Division 21 of the Public Resources Code. As discussed above, the project is consistent with Chapter 9 of Division 21. Proposition 40 also requires the Conservancy to give priority to grant projects with matching funds. The WVS will contribute \$19,000 to the proposed project.

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

The proposed authorization would be undertaken pursuant to and is consistent with the Conservancy's enabling legislation, Division 21 of the Public Resources Code, specifically Chapter 9 (Sections 31400-31409) pertaining to public access to and along the coast.

Section 31400 of the Public Resources Code states the Legislature's intent that the Conservancy have a principal role in implementing a system of public accessways to and along the state's coastline. In the proposed project, the Conservancy will fund public access improvements at Westport Headlands, including a segment of the California Coastal Trail. The proposed funding authorization thus furthers the purposes of §31400.

Section 31400.1 of the Public Resources Code requires the Conservancy find that the project will serve more than local interests. The Mendocino coast is a statewide, national, and international visitor destination. The property is located along world-renowned Highway 1, and is suitable for observing migrating whales during part of the year as well as many types of marine birds. The property contains open coastal bluffs west of Highway 1, the main corridor from points south of the area. The property also creates a valuable link in the California Coastal Trail. WVS seeks to develop and manage the Westport Headlands as a coastal public accessway for both the local community and out-of-area visitors alike by providing parking and signage of the trail.

Section 31400.3 enables the Conservancy to aid nonprofit organizations in establishing a system of public coastal accessways. Section 31400.2 states that the Conservancy may provide up to the total cost of the initial development of public accessways provided that the Conservancy evaluate the fiscal resources of the application, current funds available for coastal accessways, the urgency of the project relative to other access projects, and consistency with other Conservancy funding criteria. WVS is a small nonprofit organization that seeks to develop and manage the Westport Headlands as a coastal public accessway for both the local community and visitors. Without additional funding from the Conservancy, WVS will be unable to implement this project that has been ten years in the making. Other criteria identified in section 31400.2 are discussed in the Project Selection and Criteria section below.

The Conservancy-adopted “*Standards and Recommendations for Accessway Location and Development*” is relevant to the proposed project. The proposed project is consistent with all applicable standards. Consistent with Standard No. 1, 2 and 5, the proposed project will protect the public and coastal resources by routing and signing trails to promote safe recreation onsite while protecting sensitive habitats; install a stairway to the beach to eliminate a dangerous informal trail down the bluff, thereby providing safe access and reducing erosion; and constructing a foot bridge over a sensitive riparian corridor that bisects the property. Wetland and geotechnical surveys were conducted for the property and their recommendations have been incorporated into the design of the proposed improvements.

Consistent with Standard No. 3, trails will be maintained at a minimum width. Also, an Americans with Disabilities Act (ADA) compliant parking space, trail, and overlook platform will be constructed at the north end of the site.

Consistent with Standards 6 and 7, lateral and vertical accessways will comply with LCP and coastal development permit requirements.

Consistent with Standard 8, the proposed project will connect the road (Hwy 101) with a scenic overlook, and provide safe access from the bluff to the beach, avoiding unstable or erosive soils. Trails will be signed to promote safe access and inform the public about the local environment; and fences, benches, and trash receptacles will be provided where needed.

Consistent with Standards 9 and 13, the scenic overlook, and the trail leading to it, will be accessible to the physically disabled. A handicapped accessible parking space will also be provided, as will appropriate signage.

Consistent with Standard No. 12, the proposed project includes many support facilities to accommodate public use of the site, including signs, benches, trash cans, parking, stairs and a boat chute. Upon authorization, staff will approve a signing plan for the property.

#### **CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 1 Objective C**, the project will improve approximately 660 feet of the California Coastal Trail, including providing amenities for the disabled.

Consistent with **Goal 2 Objective A**, the project improves public access amenities at Westport Headlands in coordination with a local non-profit entity. The project also expands recreational opportunities for handicapped visitors to the area; and

#### **CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

### **Required Criteria**

1. **Promotion of the Conservancy's statutory programs and purposes:** The project promotes coastal access and contributes to the California Coastal Trail. See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** The management planning process provided several forums for public input, and development of public accessways at the Westport Headlands was strongly supported. Please see letters of support in Exhibit 5.
4. **Location:** The proposed project would be located entirely within the coastal zone, in the town of Westport in Mendocino County.
5. **Need:** Improved coastal access in Mendocino County is a priority for the Conservancy and the local community. WVS does not have sufficient funds to implement the recommendations of the *Westport Headlands Management Plan*. Therefore, construction of the access improvements at Westport Headlands will not occur without Conservancy funds.
6. **Greater-than-local interest:** The Mendocino coast is a statewide, national, and international visitor destination. See discussion of Conservancy Enabling Legislation above.

### **Additional Criteria**

7. **Urgency:** The Conservancy has already funded the acquisition and initial management of this important property on the Mendocino coast. Without additional funding to implement the management plan, damage to the coastal bluff will continue, and an important public access opportunity will not be realized.
8. **Conflict resolution:** Currently, beach access consists of a rough trail and boat launching chute that descend the cliff to the beach (Exhibit 3). Westport residents have traditionally used this chute to winch small skiffs up and down the cliff for subsistence fishing. The bluff face is severely eroding and the access is very dangerous. Installation of stairs will provide safe access to the beach, and the boat launch will allow for the continuation of subsistence and recreational fishing.
9. **Readiness:** WVS has developed the *Westport Headlands Management Plan*, designed the site improvements, secured all necessary permits, and is now ready for implementation.
10. **Realization of prior Conservancy goals:** "See "Project History" above."

### **CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The proposed project is consistent with the Local Coastal Program (certified in 1992) as determined by the Coastal Development Permit, attached as Exhibit 3. In summary, the project is consistent with the Coastal Element of the Mendocino County General Plan as follows:

Coastal Plan Policy 3.5-1 states:

The scenic and visual qualities of Mendocino County coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas.

Coastal Plan Policy 3.5-3 states, in part:

Any development permitted in [highly scenic] areas shall provide for the protection of ocean and coastal views from public areas including highways, roads, coastal trails, vista points, beaches, parks, coastal streams, and waters used for recreational purposes.

Shoreline Access Policy No. 3.6-6 states in relevant part:

“Shoreline access points shall be at frequent rather than infrequent intervals for the convenience of both residents and visitors and to minimize impacts on marine resources at any one point.”

**COMPLIANCE WITH CEQA:** The Westport Headlands Negative Declaration (ND) was prepared by Mendocino County in October 2004 (Exhibit 4). The ND was circulated for public review from October 8, 2004 through November 3, 2004 and comments are summarized on page 16 of the ND. The Coastal Development Permit and [mitigated] ND were adopted by the County’s Board of Supervisors on November 4, 2004.

The ND found that no significant environmental impacts would result from the proposed project that cannot be adequately mitigated through the conditions of approval. This finding relied on surveys previously funded by the Conservancy and now incorporated in the management plan: The stairway and boat chute will be constructed in accordance with recommendations contained in a geotechnical report prepared by BACE geotechnical in February 2003; improvements constructed on the property will also incorporate all the recommended mitigation measures contained in a Wetland Survey dated June 2004; and recommendations contained in an Archeological Survey done in December 2000 shall also be incorporated into the development of the site (Exhibit 4, p.12). Mendocino County also prohibits the grantee from armoring the bluff and requires the grantee be responsible for debris removal should the bluff eventually erode.

The County found that the project does not have the potential to adversely effect wildlife resources as defined under Fish and Game Code Section 711.2 and 14 Cal. Code of Regulations Section 753.5(d).

Conservancy staff has independently reviewed the County’s ND and recommends that the Conservancy concur in the County’s finding that, as designed and permitted, there is no evidence that the project will have a significant effect on the environment. Staff further recommends the Conservancy find that the project will not have potentially adverse effect, either individually or cumulatively, on wildlife resources as defined in the Fish and Game Code §711.2. The grantee has already paid the required filing fees with Mendocino County as required by §711.4 of the Fish and Game Code. Upon approval, staff will file a Notice of Determination for the project.